

## Message Text

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ACTION DLOS-03

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FM AMEMBASSY RABAT

TO SECSTATE WASHDC 3846

INFO AMEMBASSY MADRID

USUN NEW YORK 675

C O N F I D E N T I A L RABAT 5654

LIMDIS

E.O. 11652: GDS

TAGS: PLOS MO SS SP

SUBJECT: LOS-CONSULTATIONS WITH MOROCCO-STRAITS

1. SUMMARY. IN PRESENTATION ON STRAITS ISSUE, GOM LOS EXPERT APPARENTLY SIGNALLED THAT GOM WOULD BE FORTHCOMING ON TRANSIT PASSAGE FOR STRAIT OF GIBRALTAR SHOULD US SUPPORT MOROCCAN EFFORT REMOVE SPANISH COLONIALISM FROM AFRICA. MOROCCANS HAVE IN PAST INDICATED WILLINGNESS ACCOMMODATE OUR STRAITS INTERESTS BILATERALLY AND INFORMALLY, BUT THIS IS MOST CONCRETE INDICATION THEY HAVE GIVEN OF FLEXIBILITY ON INTERNATIONAL ISSUE OF TRANSIT PASSAGE. EXPERT'S PRESENTATION SHOULD NOT, AT LEAST FOR PRESENT, BE REGARDED AS FORMAL POLICY EXPRESSION, AND WE DOUBT MOROCCANS WOULD BE WILLING DROP INNOCENT PASSAGE DOCTRINE ENTIRELY EVEN SHOULD WE ADOPT TOUGHER POLICY TOWARDS SPAIN. PRESENTATION WAS APPARENTLY A TRIAL BALLOON, AND SHOULD BE VIEWED IN CONTEXT OF CONTINUED MOROCCAN NEEDLING FOR GREATER US SUPPORT OF GOM'S SAHARA CAMPAIGN.

2. ON NOV 19, LOS SPECIALIST NORDQUIST AND EMBOFF DUNBAR MET FOR NEARLY THREE HOURS WITH MUSTAPHA EL GHARBI, HEAD OF LEGAL AND TREATY DIVISION, MFA. EL GHARBI IS PRINCIPAL LOS  
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EXPERT IN MOROCCO, LED THEIR DELEGATION TO CARACAS, AND EXPECTS

TO HEAD GOM DELEGATION TO GENEVA. THERE FOLLOWS SUMMARY OF WHAT EL GHARBI HAD TO SAY ON STRAITS QUESTION. OTHER SUBJECTS ARE BEING REPORTED SEPTEL.

3. WITHOUT EVER SAYING SO DIRECTLY, EL GHARBI GAVE BOTH OFFICERS CLEARLY TO UNDERSTAND THAT, WERE US TO THROW ITS WEIGHT BEHIND MOROCCAN EFFORT TO REMOVE SPANISH COLONIALISM FROM AFRICA, GOM COULD BE ACCOMMODATING TO OUR INTEREST IN REGIME FOR STRAIT. NEAR THE OPENING OF LONG MONOLOGUE ON STRAIT AND SPANISH COLONIALISM, EL GHARBI SAID HE WOULD FOCUS ON CEUTA ENCLAVE AND "WOULD NOT SPEAK OF SAHARA," PRESUMABLY BECAUSE LATTER COLONY NOT ON STRAIT. IT WAS EVIDENT THROUGHOUT, HOWEVER, THAT HE WAS CONSIDERING SPAIN'S ENTIRE AFRICAN PRESENCE.

4. IN MONOLOGUE, EL GHARBI MADE FOLLOWING POINTS:

A. MOROCCO'S POSITION AND SPAIN'S SHOULD NOT BE LUMPED TOGETHER ON STRAIT ISSUE, DESPITE SPANISH EFFORT TO CLING TO MOROCCO AND AFRICA ON QUESTION. HIS POINT HERE SEEMED TO BE THAT SPAIN WAS TRYING TO USE MOROCCO'S AFRICAN CONNECTION AS MEANS OF ASSURING AFRICAN BLOC SUPPORT FOR SPANISH POSITION ON STRAIT.

B. CONCEPT OF ENCLAVES (IN ADDITION TO CEUTA AND MELILLA, HE MENTIONED GOA, ADEN AND GIBRALTAR) HAD BECOME OUTMODED IN ERA OF NAVAL MOBILITY AND OF ASSERTION NATIONAL SOVEREIGNTY BY FORMER COLONIES.

C. COLONIAL PRESENCE IN ENCLAVES CORRUPTED A MOROCCO WHICH, IF NOT TOTALLY DEMOCRATIC, WAS RELATIVELY FREE. CEUTA'S MAIN REASON FOR BEING, HE ASSERTED, WAS AS CENTER FOR CONTRABAND, AND SPANISH FROM ENCLAVES CONSTANTLY USED BRIBERY AND OTHER FORMS OF TRICKERY IN CONDUCTING VARIOUS NEFARIOUS ACTIVITIES IN MOROCCO.

5. AT END OF CONVERSATION, EL GHARBI CAREFULLY SUMMED UP. US AND MOROCCO HAD CERTAIN DIFFERENCES ON LOS. HOWEVER, THESE DIFFERENCES WERE MINOR AS COMPARED TO LONG TRADITION OF FRIENDSHIP, AND PRESENT GOOD RELATIONS, BETWEEN TWO COUNTRIES. THERE WAS NO NEED FOR LOS DIFFERENCES TO PROVE INSURMOUNTABLE.

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6. COMMENT: INDIRECTNESS AND VERBOSITY NOTWITHSTANDING, EL GHARBI'S IMPLIED QUID PRO QUO OFFER WAS NEW ELEMENT IN GOM'S APPROACH TO STRAIT ISSUE. HIGH MOROCCAN OFFICIALS HAVE INDICATED FROM TIME TO TIME THAT MOROCCO MIGHT BE PREPARED TO ASSURE, ON INFORMAL, BILATERAL BASIS, THAT OUR VITAL INTERESTS IN STRAIT WERE ACCOMMODATED. HOWEVER, THEY HAVE ALWAYS INDICATED THAT THEY WERE NOT PREPARED TO SIGN OFF FORMALLY ON FREE PASSAGE

IN AN LOS TREATY.

7. AS NOTED ABOVE, EL GHARBI'S EMPHASIS ON CEUTA (AS OPPOSED TO SAHARA) ALMOST CERTAINLY DUE ONLY REPEAT ONLY TO GREATER GEOGRAPHIC RELEVANCE OF CEUTA TO STRAITS ISSUE. SAHARA, WE ARE CONVINCED, REMAINS THE BURNING ISSUE AND ENCLAVES CONTINUE ON BACK BURNER.

8. EL GHARBI'S PRESENTATION SHOULD NOT REPEAT NOT BE REGARDED AS FORMAL EXPRESSION OF POLICY ALTHOUGH HE WAS PROBABLY ACTING UNDER AT LEAST GENERAL INSTRUCTIONS. HAD MOROCCANS WISHED TO SIGNAL READINESS TO TRADE TRANSIT PASSAGE FOR US PRESSURE ON SPAIN, IT WOULD CERTAINLY HAVE BEEN DONE IN FOREIGN MINISTER-AMBASSADOR CHANNEL. FURTHER, WE DO NOT BELIEVE THAT MOROCCANS EXPECT REACTION FROM US, OR INDEED THAT THEY WOULD BE WILLING TO DROP INNOCENT PASSAGE DOCTRINE ENTIRELY SHOULD US ADOPT TOUGHER POLICY TOWARDS SPANISH COLONIALISM.

9. OUR CONCLUSION IS THAT EL GHARBI'S PRESENTATION WAS A TRIAL BALLOON REFLECTING CONTINUING GOM INTEREST IN ELICITING OUR SUPPORT FOR MOROCCAN POSITION ON SAHARA. MOROCCANS HAVE BEEN EXPRESSING INTEREST IN SUCH SUPPORT IN VARIOUS WAYS (STATE 255710 NOTAL IS LATEST EXAMPLE) AND WE MAY EXPECT SUCH NEEDLING TO CONTINUE. UNTIL AND UNLESS WE RECEIVE MUCH CLEARER SIGNAL THAN EL GHARBI CONVEYED, BELIEVE WE SHOULD CONSTRUE HIS REMARKS IN THIS CONTEXT RATHER THAN AS SERIOUS OFFER TO MAKE CONCRETE DEAL ON STRAIT.  
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